

Sl.No. 57 26.06.2025
Court No. 35
G.S.Das

WPA 12378 of 2025

Debu Thakur
-Vs-
The State of West Bengal & Ors.

Mr. Manas Kumar Das
... for the Petitioner(s)

Ms. Sonal Sinha
Mr. Ashmita Chakraborty
Ms. S. Farooqui
... for the State-respondent(s)

Mr. Samrat Banerjee
... for the private respondent no. 6

Mr. Prasenjit Debnath
... for the respondent no. 7

Learned advocate for the petitioner is aggrieved by the fact that inspite of the respondnetno.5 having received Rs.10 lakh for selling a property, the same was not effected and, consequently, the petitioner had to prefer a civil suit, being T.S. 88 of 2022, for specific performance of contract.

The attention of this court has been drawn to the order passed by the learned Civil Judge (Sr.Divn.),

Chandannagar, wherein, the learned Court in TS 88 of 2022 was pleased to pass an ad interim relief thereby restraining the defendants from creating any third party interest.

Learned advocate for the State has submitted a report which reflects that in respect of the same accusations, a case was initiated being Bhadreswar P.S. Case No. 281 of 2023 dated 16.06.2023 and the police authorities on conclusion of investigation has submitted 'Final Report' discharging the accused persons.

Learned advocate for the respondent nos. 6 and 7 are present. Both the learned advocates submits that the transactions in respect of the property were completed much prior to the civil court being approached by the petitioner.

Be that as it may, since the petitioner has complained of police inaction and the Final Report has already been

submitted discharging the accused persons, I direct that in case any notice has not been sent to the defacto-complainant/petitioner at or after the submission of the Final Report before the learned jurisdictional court, the learned Magistrate who accepted the Final Report, if any, would afford an opportunity to the defacto-complainant/petitioner to ventilate his grievance after an application under Section 173(8) of the Cr.P.C. is preferred before the said court.

With the aforesaid observations, WPA 12378 of 2025 is disposed of.

Pending application(s), if any, is also disposed of.

Report so submitted be kept with the record. Copies of the report be handed over to the petitioner and the respondents.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)

